

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

NAUTOR SWAN GLOBAL
SERVICE, S.L.,

Plaintiff,

V.

S/V RED SKY, her engines, tackle,
furniture, apparel, appurtenances, etc., *in rem*,
and RED SKY INVESTMENTS LIMITED,
in personam

Defendant.

Restricted Appearance Rule E(8)
Civil No.1:22-cv-00386-JJM-LDA

**STIPULATION AND PROPOSED ORDER FOR
DISMISSAL WITH PREJUDICE**

COME NOW the Parties, Plaintiff Nautor Swan Global Service, S.L. (“NSGS”), and Defendant Red Sky Investments, Ltd. (“Red Sky Investments”), on its own behalf and on behalf of Defendant S/V Red Sky, her engines, tackle, furniture, apparel, appurtenances, etc. (“s/v Red Sky” or the “Vessel”) (collectively with Red Sky Investments, “Red Sky”) (Red Sky and NSGS collectively, the “Parties”), and the Parties STIPULATE AND AGREE as follows:

STIPULATED AND AGREED, by and between the Parties hereto, that, in accordance with the terms of the Settlement and Release Agreement, the security funds on deposit with the Court's registry in this action, comprising \$750,000.00, plus any interest accrued under the Court's CRIS system, be disbursed to Red Sky's attorneys in this action, to then be disbursed by them in accordance with the Settlement and Release Agreement; and it is further

STIPULATED AND AGREED, by and between the Parties hereto, that, in accordance with the terms of the Settlement and Release Agreement, the countersecurity funds on deposit with

the Court's registry in this action, comprising \$100,000.00, plus any interest accrued under the Court's CRIS system, be disbursed to NSGS's attorneys in this action, to then be disbursed by them in accordance with the Settlement and Release Agreement; and it is further

STIPULATED AND AGREED, by and between the Parties hereto, that, pursuant to Rule 41(a)(1)(A)(ii), all claims, complaints, and counterclaims, be dismissed with prejudice. Each party shall bear their own costs and attorneys' fees. All rights of appeal are hereby waived.

Dated: April 15, 2024
Providence, Rhode Island

FOR NSGS:

**FARRELL SMITH O'CONNELL LLP
JONES WALKER LLP**

"/s/ Kirby L. Aarsheim"

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FOR RED SKY:

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"/s/ John R. Keough"

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CERTIFICATE OF SERVICE

I certify that on April 15, 2024, I filed the above document via the Electronic Case Filing System, through which a copy will be electronically delivered to all attorneys who are listed as registered participants in connection with this case.

“/s/ Kirby L. Aarsheim”
Kirby L. Aarsheim

Hon. John J. McConnell, Jr.
UNITED STATES DISTRICT JUDGE